

## Message Text

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ACTION IO-14

INFO OCT-01 EUR-25 ISO-00 DLOS-06 AF-10 ARA-16 EA-11

NEA-10 RSC-01 COA-02 EB-11 OIC-04 ACDA-19 AEC-11

AGR-20 CG-00 COME-00 DOTE-00 FMC-04 INT-08 JUSE-00

NSF-04 OMB-01 DRC-01 CIAE-00 DODE-00 PM-07 H-03

INR-10 L-03 NSAE-00 NSC-10 PA-04 PRS-01 SPC-03 SS-20

USIE-00 SSO-00 NSCE-00 INRE-00 /240 W

----- 076947

O 081733Z DEC 73

FM USMISSION USUN NY

TO SECSTATE WASHDC IMMEDIATE 1901

AMEMBASSY STOCKHOLM

AMEMBASSY HELSINKI

AMEMBASSY VIENNA

C O N F I D E N T I A L SECTION 1 OF 2 USUN 5485

DEPARTMENT PLS PASS ALL NATO CAPITALS IMMEDIATE

E.O. 11652: GDS

TAGS: PBOR UN

SUBJ: LOS CONFERENCE

REF: USUN 5437 (NOTAL)

1. SUMMARY: SECOND MEETING OF LOS CONFERENCE TOOK PLACE DEC 7 PM BUT FAILED TO AGREE ON COMPOSITION OF GENERAL COMMITTEE AND DRAFTING COMMITTEE. AMERASINGHE PLACED BEFORE CONFERENCE WHAT HE TERMED "TENTATIVE" AGREEMENT ON 48 MEMBER GENERAL COMMITTEE AND 23 MEMBER DRAFTING COMMITTEE (REFTEL). REGIONAL GROUP CONSULTATIONS WHICH TOOK PLACE PRIOR TO MEETING DID NOT OVERCOME WEO OBJECTIONS TO GIVING US BOTH MEMBERSHIP ON GENERAL COMMITTEE AND IN DRAFTING COMMITTEE AS PART OF WEO QUOTA OF  
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9 GENERAL COMMITTEE SEATS AND 5 DRAFTING COMMITTEE SEATS.

END SUMMARY.

2. INTENSIVE REGIONAL GROUP CONSULTATIONS AND MEETING OF REGIONAL CHAIRMEN AND US WITH AMERASINGHE TOOK PLACE DEC 7 AM. CONSULTATIONS CENTERED ON PROPOSAL FOR 48 MEMBER GENERAL COMMITTEE AND 23 MEMBER DRAFTING COMMITTEE (REFTEL). DISAGREEMENT OVER TREATMENT OF US WAS NOT RESOLVED. ASIAN, LA AND EE GROUPS ENDORSED AF CONTENTION THAT US BE COUNTED AS WEO AND GIVEN TWO SEATS INDICATING ASSIGNMENT OF 5 SEATS ON DRAFTING COMMITTEE AND 9 SEATS ON GENERAL COMMITTEE TO WEO CONTEMPLATED THAT WEO GROUP WOULD ACCOMMODATE US.

3. WEO CHAIRMAN SAID GREAT MAJORITY OF GROUP EXCEPT FOR UK AND FRANCE FAVORED ONE SEAT ONE NATION RULE WITHOUT GIVING SC PERMANENT REPRESENTATIVES SEATS ON BOTH DRAFTING AND GENERAL COMMITTEES SINCE THIS WOULD DEPRIVE OTHER WEO MEMBERS OF REPRESENTATION ON ANY COMMITTEE. WEO CHAIRMAN ALSO STRONGLY OBJECTED TO INCLUSION US IN WEO QUOTA ASSERTING IT WAS IN CLEAR CONTRADICTION WITH UN PRACTICE AND WEO SHOULD BE GIVEN ADDITIONAL SEAT IF US TO BE ACCOMMODATED. WEO CHAIRMAN INDICATED WEO GROUP WOULD GIVE US REPRESENTATION ON GENRAL COMMITTEE WITHIN ITS QUOTA IF US WOULD GIVE UP FIFTH SEAT ON DRAFTING COMMITTEE WHICH OTHER GROUPS HAD ASSIGNED TO WEO GROUP SPECIFICALLY TO ACCOMMODATE US.

4. US REP NOTED THAT IF WEO GROUP POSITION ACCEPTED, THIS WOULD BE FIRST INTERNATIONAL CONFERENCE AT WHICH US NOT REPRESENTED ON BOTH DRAFTING AND GENERAL COMMITTEES AND THAT US REPRESENTATION ON BOTH COMMITTEES ESSENTIAL TO SUCCESS OF CONFERENCE AND ACCEPTABILITY OF TREATY IN UNITED STATES. US HAD AUTOMATICALLY IN PAST BEEN ASSURED OF SEAT ON BOTH COMMITTEES AS PERMANENT REPRESENTATIVE OF SC WITHOUT BEING COUNTED AGAINST WEO QUOTA.

5. ASIAN REP ALSO PURSUED SUGGESTION THAT CONFERENCE ACCEPT RULE THAT NO STATE RECEIVE MORE THAN ONE CONFERENCE OFFICER POSITION, SPECIFICALLY THAT THERE BE NO CONFIDENTIAL

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DUAL MEMBERSHIP I.E., ON BOTH GENERAL COMMITTEE AND DRAFTING COMMITTEE. AMERASINGHE HOWEVER, RULED THAT THIS WAS MATTER FOR EACH REGIONAL GROUP TO DETERMINE. BOTH EE CHAIRMAN AND US REPRESENTATIVE STRONGLY OBJECTED TO ANY SUCH CONFERENCE RULE.

NOTE BY OC/T: NOT PASSED ALL NATO CAPITALS.

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O 081733Z DEC 73

FM USMISSION USUN NY

TO SECSTATE WASHDC IMMEDIATE 1902

AMEMBASSY STOCKHOLM

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AMEMBASSY VIENNA

C O N F I D E N T I A L SECTION 2 OF 2 USUN 5485

DEPARTMENT PLS PASS ALL NATO CAPITLAS IMMEDIATE

6. IN SPITE OF UNSATISFACTORY OUTCOME OF CONSULTATIONS AMERASINGHE PRESSED AHEAD WITH SECOND CONFERENCE MEETING DEC 7 PM AND PLACED BEFORE IT AS "TENTATIVE" AGREEMENT PROPOSAL FOR 48 MEMBER GENERAL COMMITTEE AND 23 MEMBER DRAFTING COMMITTEE. HE ALSO REPORTED THAT HIS CONSULTATIONS REVEALED FIRM AGREEMENT ON FOLLOWING QUESTIONS OF CONFERENCE STRUCTURE:

- A. ESTABLISHMENT OF THREE MAIN COMMITTEES CORRESPONDING TO THREE SUBCOMMITTEES OF SEABED COMMITTEE;
  - B. ESTABLISHMENT FOR EACH MAIN COMMITTEE OF FIVE-MEMBER BUREAU (CHAIRMAN, THREE VICE CHAIRMEN AND RAPPOREUR) ON WHICH EACH REGIONAL GROUP WOULD BE REPRESENTED.
  - C. CHAIRMANSHIP OF THE FIRST MAIN COMMITTEE GO TO AFRICA; OF SECOND MAIN COMMITTEE TO LA, OF THIRD MAIN COMMITTEE TO EE AND DRAFTING COMMITTEE TO WEO GROUP.
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D. ESTABLISHMENT OF POSITION OF RAPPORTEUR-GENERAL FOR CONFERENCE;

E. ESTABLISHMENT OF CREDENTIALS COMMITTEE.

7. CONFERENCE DISCUSSION OF MAIN ISSUE-COMPOSITION OF DRAFTING COMMITTEE AND GENERAL COMMITTEE -- HOWEVER WAS ESSENTIALLY REPEAT OF CONSULTATIONS HELD EARLIER IN DAY WITH SAME RESULT. AF, ASIAN, LA ND EE REGIONAL GROUP CHAIRMEN ALL REPORTED UNANIMOUS AGREEMENT OF THEIR GROUPS TO "TENTATIVE" AGREEMENT SET FORTH BY AMERASINGHE WITH ASSUMPTION WEO GROUP WOULD ACCOMMODATE US IN BOTH COMMITTEES. US REP (STEVENSON) INTERVENED TO MAKE CLEAR THAT THERE HAD BEEN NO AGREEMENT AS TO BASIS ON WHICH US WOULD PARTICIPATE IN GENERAL COMMITTEE AND DRAFTING COMMITTEE. CHAIRMAN OF WEO GROUP (FRG) ARGUED THAT DISAGREEMENT STEMMED FROM FACT THAT OTHER REGIONAL GROUPS ERRONEOUSLY CONTENDED THAT US IS OR SHOULD BE MEMBER OF WEO GROUP. US MIGHT WISH TO APPLY FOR WEO MEMBERSHIP BUT WOULD HAVE TO RESPECT WEO DECISION ON SEATS IF IT BECAME MEMBER. SPAIN ALSO ARGUED THAT US HAD NEVER BEEN PART OF WEO GROUP AND THERE SHOULD ONLY BE ONE SEAT FOR ANY NATION.

8. AMERASINGHE STATED HIS UNDERSTANDING THAT ALL GROUPS HAD AGREED THAT WEO BEING GIVEN EXTRA SEAT ON DRAFTING COMMITTEE TO ACCOMMODATE US.

9. SEVERAL AF DELS TRIED TO MAINTAIN THAT PROBLEM OF US REPRESENTATION CONCERNED WEO GROUP ONLY AND THEREFORE CONFERENCE COULD PROCEED TO ACCEPT 48/23 PROPOSAL. VARIOUS WEOS COUNTERED THIS POINT, WHILE SEVERAL LA DELEGATIONS SUPPORTED AF POSITION.

10. CANADIAN REP (BEESLEY) PROPOSED SOLUTION TO IMPASSE BY SUGGESTING THAT CHAIRMAN OF DRAFTING COMMITTEE (ALLOCATED TO WEO) BE MADE NON-VOTING, EX-OFFICIO MEMBER OF GENERAL COMMITTEE. PROPOSAL WOULD HAVE EFFECT OF GIVING WEO GROUP ADDITIONAL VICE PRESIDENCY (UNDER 48/23 PROPOSAL- CHAIRMAN OF DRAFTING COMMITTEE WOULD BE VOTING MEMBER OF GENERAL COMMITTEE AND THUS COUNTED AGAINST WEO GENERAL COMMITTEE AS WELL AS DRAFTING COMMITTEE QUOTA).

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IMPLICATION OF BEESLEY PROPOSAL WAS THAT US COULD BE REPRESENTED ON GENERAL COMMITTEE AS WELL AS ON DRAFTING

COMMITTEE THROUGH THIS DEVICE. BEESLEY'S SUGGESTION  
DREW COOL REACTION FROM SEVERAL AF AND LA  
DELS, BUT REMAIN POSSIBLE APPROACH TO SOLUTION.  
STEVENSON LATER ADVISED BEESLEY THAT PROPOSAL WOULD BE MORE  
SALEABLE IF CHAIRMAN OF DRAFTING COMMITTEE CEASES TO  
BE EVEN EX-OFFICIO MEMBER OF GENERAL COMMITTEE, BUT HAD  
RIGHT TO ATTEND MEETINGS. THIS SHOULD AVOID LA  
OBJECTION OVER MAINTAINING PARITY WITH WEOS.

11. MEXICAN REP PUT FORMAL QUESTION AS TO WHETHER  
CONSENSUS EXISTED ON 48/23 PROPOSAL. AFTER WEO CHAI-  
MAN RESTATED HIS GROUP'S OBJECTION, AND STEVENSON US  
RESERVATION, AMERASINGHE BROUGHT MEETING TO CLOSE, MAKING  
FOLLOWING POINTS:

- A. CONFERENCE SHOULD REACH AGREEMENT ON COMPOSITION  
ISSUE BEFORE MOVING TO RULES OF PROCEDURE.
- B. CONFERENCE MEETING SCHEDULED FOR DEC 10 AM IS CANCELLED  
TO ALLOW FOR FURTHER REGIONAL GROUP CONSULTATIONS.
- C. CHAIRMEN OF REGIONAL GROUPS AND US REP WILL MEET  
WITH HIM AT NOON DEC 10; AND
- D. IT IS URGENT THAT COMPOSITION ISSUE BE RESOLVED  
AT DEC 10 PM SESSION OF CONFERENCE AND REGIONAL GROUPS  
SHOULD HAVE LISTS OF THEIR SPECIFIC CANDIDATES FOR  
GENERAL COMMITTEE AND DRAFTING COMMITTEE FOR THAT MEETING.

12. ALL REGIONAL GROUPS WITH EXCEPTION WEO TO MEET  
MONDAY AM. WEO MEETING SCHEDULED FOR DEC 8.

13. FOR NATO CAPITALS, STOCKHOLM. HELSINKI AND VIENNA;  
BY SEPTTEL WE ARE RECOMMENDING DEPARTMENT INSTRUCT YOU  
TO APPROACH HOST GOVERNMENTS ON URGENT BASIS TO SEEK  
SUPPORT FOR US PARTICIPATION ON BOTH GENERAL COMMITTEE  
AND DRAFTING COMMITTEE. ACTION WOULD BE REQUIRED  
AT OPENING OF BUSINESS MONDAY, DEC 10.  
BENNETT

NOTE BY OC/T: NOT PASSED ALL NATO CAPITALS.

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